

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ROBERT GEISER, SHAUN HALLORAN, AVERY
ACKER, CHRISTINA AQUILINO, AND JOSHUA
FRASER, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

THE SALVATION ARMY, a New York nonprofit
corporation,

Defendant.

Civil Action No. 1:22-cv-01968-JMF-JLC

DECLARATION OF THOMAS P. GIES IN SUPPORT OF
DEFENDANT THE SALVATION ARMY, A NEW YORK NONPROFIT
CORPORATION’S MOTION TO DISMISS

I, Thomas P. Gies, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner at the law firm of Crowell & Moring LLP and represent The Salvation Army, a New York nonprofit corporation (“the New York Corporation”) in the above-captioned litigation. I am admitted to practice *pro hac vice* in the within matter, ECF No. 72.
2. I submit this declaration in support of the New York Corporation’s Motion to Dismiss filed concurrently herewith.
3. Attached as **Exhibit A** to this Declaration is a true and correct copy of Plaintiffs’ First Amended Collective and Class Action Complaint for Damages, ECF No. 55 (hereinafter, “FAC”), as referenced in The New York Corporation’s Motion to Dismiss.

I, Thomas P. Gies, hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on July 27, 2022, at Washington, D.C.

Respectfully submitted,

By: /s/ Thomas P. Gies

Thomas P. Gies

CROWELL & MORING LLP

1001 Pennsylvania Avenue, N.W.

Washington, DC 20004

(202) 624-2500

tgies@crowell.com